

## HEALTH AND SANITATION PROGRAM

*Exchange of notes at México February 10 and 14, 1949, with text of extension agreement, modifying and extending agreements of June 30 and July 1, 1943,<sup>1</sup> as modified and extended*

*Entered into force February 14, 1949; operative from December 31, 1948*

*Program expired June 30, 1955*

63 Stat. 2848; Treaties and Other  
International Acts Series 2091

*The Acting Minister of Foreign Affairs to the American Ambassador*

[TRANSLATION]

MINISTRY OF FOREIGN RELATIONS  
UNITED MEXICAN STATES  
MEXICO

52088

MÉXICO, D.F., February 10, 1949

MR. AMBASSADOR:

With reference to my note No. 51068 of January 10 last, and pursuant to the conversations held between the Department of Foreign Relations and your Embassy concerning the extension of the Agreement concluded between the Department of Health and Welfare and the Institute of Inter-American Affairs to carry out a cooperative health and sanitation program in Mexico, I have the honor to inform Your Excellency that the Department of Health and Welfare agrees to enter into the Agreement extending the said program, in the following terms:

"The Ministry of Health and Welfare (hereinafter referred to as the "Ministry"), represented by Dr. Rafael Pascasio Gamboa, Secretary of Public Health and Welfare (hereinafter referred to as the "Secretary"), and the Institute of Inter-American Affairs (hereinafter referred to as the "Institute"), a corporate instrumentality of the Government of the United States of America, represented by its Chief of Field Party, Health and Sanitation Division, Wyman R. Stone, (hereinafter referred to as the "Chief of Field

<sup>1</sup> EAS 347, *ante*, p. 1147.

Party")), have agreed, pursuant to the request of the Ministry, and in accordance with the exchange of notes<sup>2</sup> dated        and        between the Acting Minister of Foreign Relations of Mexico and the Ambassador of the United States of America in Mexico, upon the following technical details for extending and modifying, in the manner hereinafter set forth, the Agreement between the Ministry and the Institute, arising out of the exchange of correspondence between the representative of the Institute and the Chief of the then Department of Public Health of Mexico dated July 2, 1943,<sup>3</sup> as amended by subsequent letters between the Executive Vice President of the Institute and the Secretary of Public Health and Welfare of Mexico, dated November 1, December 6 and 7, 1943,<sup>4</sup> (hereinafter referred to as the "Basic Agreement"), providing for a cooperative health and sanitation program in Mexico.

#### CLAUSE I

The cooperative health and sanitation program provided for in the Basic Agreement is hereby extended for an additional period of six months from December 31, 1948, through June 30, 1949.

#### CLAUSE II

In addition to the funds required by the Basic Agreement to be contributed or otherwise made available by the parties thereto with respect to the cooperative program, the Institute shall make available the funds necessary to pay the salaries and all other expenses of its field staff in Mexico during the period covered by this Extension Agreement. These funds shall be administered by the Institute and shall not be deposited to the credit of the Dirección de Cooperación Interamericana de Salubridad Pública (hereinafter referred to as the "Dirección").

#### CLAUSE III

The unexpended and unobligated balance of all financial contributions required by the Basic Agreement to be made available by the parties for the cooperative health and sanitation program shall continue to remain available for such program during the period of this Extension Agreement and no additional financial contributions are required to be made by the parties hereto to or on behalf of the Dirección for the purpose of carrying on the program during the period comprehended by this Extension Agreement.

---

<sup>2</sup> A reference to the present exchange of notes is intended.

<sup>3</sup> Not printed.

<sup>4</sup> The reference "dated November 1, December 6 and 7, 1943," should read "dated November 1 and December 6, 1943," since there were two letters dated Dec. 6, 1943, and none dated Dec. 7, 1943. The data contained in these letters are the subject of the exchange of diplomatic notes of Dec. 8, 1943 (TIAS 2063), *ante*, p. 1158.

## CLAUSE IV

The parties hereto, by written agreement of the Secretary and the Chief of Field Party, may provide for contributions of funds by either or both parties, or by third parties, for use in effectuating the cooperative health and sanitation program in addition to the funds required to be contributed and made available by this Extension Agreement and the Basic Agreement.

## CLAUSE V

The Basic Agreement shall remain in full force and effect for the purpose of extending the cooperative health and sanitation program, as provided herein, and all provisions of the Basic Agreement, as well as all the agreements, decrees and laws of the Mexican Government that complement it shall be applicable to all operations and activities under this Extension Agreement to the same extent and with the same effect as though expressly set forth herein: EXCEPT that the Basic Agreement, in its application to the period provided for in this Extension Agreement, shall be deemed to be amended and supplemented by the provisions of this Extension Agreement, including the following particulars:

1. The parties hereto declare their recognition that the Institute, being a corporate instrumentality of the United States of America, wholly owned, directed, and controlled by the Government of the United States of America, is entitled to share fully in all the privileges and immunities, including immunity from suit in the courts of the United States of Mexico, which are enjoyed by the United States of America.

2. The parties hereto agree that any funds of the Dirección which remain unexpended on the termination of this Extension Agreement shall be disposed of in accordance with a written agreement between the Secretary and the Chief of Field Party.

3. By mutual agreement between the Secretary and the Chief of Field Party, funds of the Dirección may be used to reimburse or defray the salaries, living expenses, travel and transportation costs, and other expenses of such additional personnel of the Health and Sanitation Division of the Institute in Mexico as the parties mentioned may agree are necessary to be employed, in addition to the employees referred to under Clause II hereof. Such funds may be contributed or granted for such purposes by the Dirección to the Institute or to any other organization, but in every case the Secretary and the Chief of Field Party will enter into a written project agreement setting forth the scope and the other necessary terms of such contributions or grants.

## CLAUSE VI

This Extension Agreement shall become effective on the date it is signed.<sup>5</sup>

---

<sup>5</sup> Feb. 17, 1949.

IN WITNESS WHEREOF, the parties hereto have caused this Extension Agreement to be executed by their duly authorized representatives, in quintuplicate, both in the Spanish and English languages, in Mexico City, United Mexican States, this \_\_\_\_\_ day of \_\_\_\_\_, 1949.

THE MINISTRY OF PUBLIC  
HEALTH AND WELFARE

By: \_\_\_\_\_

THE INSTITUTE OF INTER-  
AMERICAN AFFAIRS

By: \_\_\_\_\_

If the Institute of Inter-American Affairs agrees to the terms of the above draft, the Department of Health and Welfare and the Institute can proceed forthwith to the signing of the Agreement extending the cooperative health and sanitation program aforementioned.

Awaiting Your Excellency's reply, I am pleased to renew to you the assurances of my highest consideration.

MANUEL TELLO

His Excellency WALTER THURSTON,  
*Ambassador Extraordinary and Plenipotentiary of  
the United States of America,  
City.*

*The American Ambassador to the Acting Minister of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Mexico, D.F., February 14, 1949*

No. 2849

EXCELLENCY:

I have the honor to refer to Your Excellency's note No. 52088 of February 10, 1949, in which is included the text of an Extension Agreement to be signed by representatives of the Institute of Inter-American Affairs and the Ministry of Health and Welfare, which would govern the work of the Institute in Mexico until June 30, 1949.

I have submitted the text of the Extension Agreement, as proposed in Your Excellency's note under reference, to Mr. Wyman R. Stone, the local representative of the Institute of Inter-American Affairs, and I have been informed by Mr. Stone that the Extension Agreement, the terms of which are set forth here below, is entirely acceptable to the Institute of Inter-American Affairs.

[For terms of extension agreement, see Mexican note, above.]

It is my understanding that this note completes the exchange of notes mentioned in the opening paragraph of the Extension Agreement, and that the

two representatives of the Ministry of Health and Welfare and of the Institute of Inter-American Affairs, may now proceed with the signing of the Extension Agreement.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency  
Señor Don MANUEL TELLO,  
*Acting Minister for Foreign Relations,*  
*México, D.F.*